

done by a mere verbal transposition. If it is made to read that "The governor shall appoint, by and with the advice and consent of the senate, at its first session thereafter, and within ten days after the ratification by the people of this constitution, a State superintendent," &c., it would then read much more smoothly.

Mr. RIDGELY. I will put my amendment in a little more intelligent form than it was submitted. I now propose to strike out, in the first part of the section the words "by and with the advice and consent of the senate, appoint within ten days after the ratification by the people of this constitution," and insert in lieu thereof the following: "within thirty days after the ratification by the people of this constitution, appoint subject to the confirmation of the senate, at its first session thereafter." The section will then read: "The governor shall within thirty days after the ratification by the people of this constitution, appoint, subject to the confirmation of the senate, at its first session thereafter, a State superintendent of public instruction," &c.

Mr. SCHLEY. That meets my views.

Mr. MILLER. That comes more nearly to my views. But I must insist upon my amendment. I am astonished that the gentleman from Baltimore city (Mr. Cushing) should say that my proposition would delay the whole matter, and the legislature would have nothing to do. It is made by my amendment positively the duty of the governor to appoint this superintendent within ten days after the meeting of the legislature. One objection that I have to the amendment of the gentleman from Baltimore county (Mr. Ridgely,) is that it should be done by and with the advice and consent of the senate. If a man is appointed by the governor within thirty days, and the senate refuse to ratify him, then he is out of office, and so much of the work as he may have done, will go for nothing. He may have attempted to perform some of his duties, and the senate may refuse to ratify his appointment.

Mr. CUSHING. We run that risk any way.

Mr. MILLER. The senate will be in session on the first of January, and when the governor obtains the views of the senate in regard to the appointment he should make, he will make such an appointment as will be ratified by the senate at once. In regard to the delay of the superintendent in reporting to the legislature, I would say that the legislature may keep in session as long as they please.

Mr. CUSHING. They are paid only for eighty days.

Mr. MILLER. I know that. But I hope the convention will yet adopt the system of annual sessions. And in that case it will not delay the adoption of this school system for more than one year, and that is little time

enough for any man appointed to this place to bring before the legislature a uniform system of common school education in the State, properly digested and worthy of the consideration and adoption of the legislature.

The question recurred upon the amendment of Mr. MILLER, as follows:

Strike out the words—"ratification by the people of this constitution," and insert the words "commencement of the first session of the general assembly under this constitution;" that is, providing that the governor shall appoint a State superintendent within ten days after the commencement of the first session, &c.

The question being then taken, the amendment was rejected.

The question then recurred upon the amendment of Mr. RIDGELY, as follows:

Strike out the words "by and with the advice and consent of the Senate, appoint within ten days after the ratification by the people of this constitution," and insert the words "within thirty days after the ratification by the people of this constitution, appoint, subject to the confirmation of the senate at its first session thereafter;" so that the section, if amended, will read as follows:

"The governor shall within thirty days after the ratification by the people of this constitution, appoint, subject to the confirmation of the senate at its first session thereafter, a State superintendent of public instruction," &c.

The question being taken, the amendment was adopted.

Mr. MILLER. I move to strike out the word "thirty," and insert the word "sixty" in the sentence reading "report to the general assembly within thirty days after the commencement of its first session under this constitution, a uniform system of free public school education," &c.

Mr. CUSHING. That will then give the legislature only twenty days to debate and consider the report of the superintendent. Their session is practically limited to eighty days. They may sit a few days, perhaps five, or six, or ten days, but they will not sit a longer time after their pay is stopped; it is not human nature. You give the superintendent four months in which to make his report, and then you give the legislature about twenty days to consider it.

The question being taken upon the motion to strike out the word "thirty," and insert the word "sixty," it was rejected.

Mr. DAVIS, of Charles. I move to amend this section by inserting the words "and within ten days after the commencement of each subsequent session," after the words "report to the general assembly within thirty days after the commencement of its first session under this constitution." According to the section as it now stands the report of the